

**Conference Committee Report on
House Bill No. 9076 / Senate Bill No. 9013**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 9076 (Senate Bill No. 9013) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:
by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 2, Part 6, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary:

(1) For the purposes of effectively mitigating the impact of a pandemic, upon declaration of a pandemic by the world health organization and a subsequent declaration of a state of emergency by the governor indicating that the pandemic impacts this state, and until such pandemic ceases to exist, the governor has exclusive jurisdiction to issue executive orders and directives with respect to each county health department in this state, including a county health department created by private or public act prior to July 1, 1985, or by action of a county legislative body; and

(2) The commissioner of health and a local health department, board, entity, county mayor, or official shall not supersede, vacate, contradict, or refuse to comply with such executive order or directive of the governor issued pursuant to subdivision (1).

(b) For purposes of subsection (a), a pandemic ceases to exist when the governor terminates the state of emergency or allows the declaration of the state of emergency to expire upon finding that the pandemic no longer significantly impacts this state.

SECTION 2. Section 4 of Chapter 550 of the Public Acts of 2021, as codified in Tennessee Code Annotated, Section 68-2-609, is amended by deleting subdivision (4).

SECTION 3. Tennessee Code Annotated, Section 68-2-603(a), is amended by deleting subdivision (6) and substituting instead:

(6) When the commissioner appoints a county health director pursuant to this subsection (a), the appointment shall be made in writing by the commissioner in concurrence with the county mayor of the county for which the appointment is made. The mayor shall submit a slate of not more than three (3) nominees to the commissioner for consideration within ten (10) days of a request for nominees by the commissioner. The commissioner may appoint a health director from the list of nominees or request additional nominees.

SECTION 4. Tennessee Code Annotated, Section 68-2-601(i), is amended by deleting the subsection and substituting instead the following:

(i) A county health department or board of health of a county in existence prior to July 1, 1985, remains in existence after the effective date of this act. The regulations of such departments and boards remain in full force in effect to the extent such regulations do not conflict with this part 6.

SECTION 5. Tennessee Code Annotated, Section 68-2-609(1), is amended deleting the subdivision and substituting:

(1) Except as provided in Section 1 of this act, the quarantine of any place or person, if the county health officer finds that quarantine is necessary to protect the public health from an epidemic;

SECTION 6. Tennessee Code Annotated, Section 68-2-603(c), is amended by deleting the first sentence and substituting instead:

The commissioner may appoint a county health officer responsible for providing medical direction, including medical enforcement actions with the approval of the commissioner or the county mayor.

SECTION 7. Tennessee Code Annotated, Section 68-2-601, is amended by designating subsection (f) as subdivision (f)(2) and adding the following new subdivision (f)(1):

(1) Except as provided in Section 1 of this act, under advisement of the county board of health under subdivisions (f)(2)(B) and (C), the county mayor has the power to issue orders as are necessary or appropriate to protect the general health and safety of county residents.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.

Senator Becky Massey, Chair

Representative Kevin Vaughan, Chair

Senator Ed Jackson

Representative Patsy Hazlewood

Senator Paul Rose

Representative John Mark Windle

Senator Sara Kyle

Representative Rusty Grills

Senator Todd Gardenhire